

## REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1, 8, 9, 16, 17 and 24 have been amended. Claims 25-28 have previously been cancelled without prejudice. No new claims have been added. Therefore, claims 1-24 are now presented for examination. The following remarks are in response to the final Office Action mailed on November 19, 2004.

### 35 U.S.C. § 102 Rejection

Claims 1-24 stood rejected under 35 U.S.C. § 102(e) as being anticipated by Ogasawara U.S. Patent No. 6,671,877 (“Ogasawara”).

Applicants respectfully submit that Ogasawara discloses “a method is compiled by a JIT compiler if it is determined that it is executed more than a certain level in terms of *execution frequency or execution time*. Once generated, JITed codes are managed in memory. The time when a JAVA system assures that they can be safely discarded is when *the JAVA system discards a class by garbage collection.*” (col. 1, lines 51-57). Ogasawara further discloses “*if a memory request of a JIT compiler cannot be met in a certain thread, the thread temporarily stops all the threads* other than itself and locates active methods. (col. 4, lines 8-11).

In contrast, claim 1, in pertinent part, recites creating a symbolic reference to the first method in a method table and updating the method table for the first method to reference an appropriate symbolic reference. (emphasis provided). Ogasawara discloses that if a memory request of a JIT compiler cannot be met in a certain thread, the thread temporarily stops all the threads other than itself and locates active methods, however Ogasawara does not disclose or reasonable suggest creating a symbolic reference to the first method in a method table and

updating the method table for the first method to reference an appropriate symbolic reference, as recited in claim 1. Accordingly, Applicants respectfully request, for at least the reasons set forth above, the rejection of claim 1 and its dependant claims be withdrawn.

With regard to independent claims 9 and 17, they contain limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 9 and 17 and their dependent claims.

### **Response to Advisory Action Item 13(2)**

The ‘:’ in claim 17 line 7 has been underlined in order to be in compliance with 37 C.F.R. §1.121.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

The Applicants respectfully petitions for a Two-Month Extension of Time to respond to the outstanding Final Office Action pursuant to 37 C.F.R. § 1.136(a). Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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